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6 Attorneys for Linda Livolsi

7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 LINDA LIVOLSI,

14 Defendant.

2:10-cr-578-PMP-GWF

MOTION TO CONTINUE
ORDER TO SHOW CAUSE HEARING

15 The defendant, LINDA LIVOLSI by and through counsel, Monique N. Kirtley, Assistant
16 Federal Public Defender, hereby files this motion to request that the Order to Show Cause hearing
17 currently scheduled for December 03, 2013 at 2:30 p.m. be vacated and set to a date and time
18 convenient to this court but no earlier than two weeks.

19 The request sought herein is not sought for purposes of delay but due to Ms. Livolsi's health.
20 Ms. Livolsi contacted undersigned counsel on December 02, 2013, and informed undersigned counsel
21 that she is extremely ill. Ms. Livolsi has not been able to eat for seven days and has a bad infection
22 in her mouth. She is also suffering from severe headaches, a swollen throat, vomiting, no voice, and
23 coughing. Ms. Livolsi cannot sit in an upright position for any extended amount of time without
24 getting dizzy and nauseous, this has made travel impractical for her at this time. Ms. Livolsi is
25 scheduled to meet with a physician on December 03, 2013. Ms. Livolsi may be able to appear
26 telephonically but due to the present condition of her throat and voice she feels that it may be
27 difficult for the Court to hear her. Due to Ms. Livolsi present health condition it is respectfully
28 requested that this Court grant a continuance for no more than two weeks.

1 The additional time requested by this motion is excludable in computing the time within
2 which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A),
3 considering the factors under 18 U.S.C. §§ 3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).

4 DATED this 2nd day of December, 2013.

5 Respectfully submitted,

6 RENE L. VALLADARES
7 Federal Public Defender

8 By: /s/ Monique Kirtley
9 MONIQUE KIRTLEY
10 Assistant Federal Public Defender
11 Counsel for Linda Livolsi
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

2:10-cr-578-PMP-GWF

Plaintiff,

PROPOSED ORDER

vs.

LINDA LIVOLSI,

Defendant.

IT IS THEREFORE ORDERED that the hearing currently scheduled for Tuesday, December 3, 2013, at the hour of 2:30 p.m., be vacated and continued to _____ at the hour of _____ .m.

DATED _____ day of December, 2013.

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Law Office of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on December 2, 2013, she served a copy of the foregoing by electronic service (ECF) to the person named below **MOTION TO CONTINUE ORDER TO SHOW CAUSE HEARING**

DANIEL G. BOGDEN
United States Attorney
J. GREGORY DAMM
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

/s/ Karen Meyer

An Employee of the Federal Public Defender